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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 SETH MORGAN,

14 Defendant.

CASE NO. CR14-100 MJP

ORDER ON MOTION FOR LEAVE  
TO STAY TOLLING

15  
16 Defendant has a 2255 petition currently pending before this Court. (*See* C18-374MJP.)  
17 This motion, which was filed in his (related) criminal matter, seeks (1) to “correct the 2255  
18 deadline that was presented in the Statement of the Case section of the 2255 filed February 15,  
19 2018,” and (2) “to stay the tolling of the Oct. 21st, 2017 2255 deadline.” (Dkt. No. 222, Motion  
20 at 1.)

21 The motion is DENIED. First, any motion related to Defendant’s pending 2255 petition  
22 must be filed in that matter, not his criminal case. Second, if Defendant wishes to correct any  
23 misstatements in his 2255 petition, he may file an amended petition. And, finally, his attempt to  
24

1 obtain a ruling regarding the tolling of any deadlines in his 2255 petition may be made during the  
2 course of any responsive briefing he cares to make in that matter. It is premature for the Court to  
3 rule on it in advance of ruling on the 2255 petition as a whole, and any tolling arguments must be  
4 made in that case, not his criminal matter.

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6 The clerk is ordered to provide copies of this order to Defendant and to all counsel.

7 Dated: April 17, 2018.

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9 The Honorable Marsha J. Pechman  
10 United States Senior District Court Judge  
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